



City of Springfield

Minutes

City Council

Ken McClure, Mayor

**Zone
Councilmembers**

General Councilmembers

Monica Horton, Zone 1 Heather Hardinger, General A

Abe McGull, Zone 2 Craig Hosmer, General B

Mike Schilling, Zone 3 Andrew Lear, General C

Matthew Simpson,
Zone 4 Richard Ollis, General D

April 3, 2023

6:30 PM

Historic City Hall City
Council Chambers 830
Boonville Avenue

1. ROLL CALL.

Present: Richard Ollis, Andrew Lear, Heather Hardinger, Monica Horton, Abe McGull, Mike Schilling, Matthew Simpson, Craig Hosmer, and Ken McClure.
Absent: None.

2. APPROVAL OF MINUTES. (APPROVED AS PRESENTED)

2.1. Approval of Minutes. March 20, 2023, City Council Meeting and March 21, 2023, Special City Council Meeting.

Mayor Pro Tem Simpson moved the two sets of minutes be approved. Councilwoman Hardinger seconded the motion, and the two sets of minutes were approved by the following vote: Ayes: Horton, McGull, Schilling, Simpson, Hosmer, Ollis, Lear, Hardinger, and McClure. Nays: None. Absent: None. Abstain: None.

3. FINALIZATION AND APPROVAL OF CONSENT AGENDAS. (APPROVED AS PRESENTED)

CITIZENS WISHING TO SPEAK TO OR REMOVE ITEMS FROM THE CONSENT AGENDAS MUST DO SO AT THIS TIME.

The Consent Agenda was approved by the following vote: Ayes: Horton, McGull, Schilling, Simpson, Hosmer, Ollis, Lear, Hardinger, and McClure. Nays: None. Absent: None. Abstain: None.

4. CEREMONIAL MATTERS.

5. CITY MANAGER REPORT AND RESPONSES TO QUESTIONS RAISED AT THE PREVIOUS CITY COUNCIL MEETING.

Jason Gage, City Manager, noted the City's Clean Green Springfield initiative is underway, with more than 600 volunteers registered to pick up trash and litter. Last Saturday, volunteers worked with the Public Works Urban Forestry Team to get 563 plants in the ground. Sign up can be completed at cleangreensgf.com.

Mr. Gage noted nearly 300 classic cars and trucks have already registered for the annual Birthplace of Route 66 Festival. This year's festival will be held August 10-12. He added the festival includes a new regional talent search competition. More information can be found at route66festivalsgf.com.

Mr. Gage noted citizens interested in a behind-the-scenes look at the Springfield Police Department's practices and policies can apply now for the 2023 Citizens Police Academy which will begin in August.

Mr. Gage noted the Springfield Police Department's Community Services Section is hosting two neighborhood meetings. More information can be found at springfieldmo.gov/crime.

Parks Director Bob Belote provided a handout to City Council regarding an update on parks activity.

Councilman Hosmer noted a constituent concern on Sieger Street and asked if there is a license required for halfway houses. Mr. Gage responded he would check on the licensing.

6. SECOND READING AND FINAL PASSAGE.

Citizens Have Spoken. May Be Voted On.

6.1. Council Bill 2023-064 (Ollis) ORDINANCE 27817

A special ordinance authorizing a budget adjustment to amend the budget of the Department of Public Works for Fiscal Year 2022-2023 in the amount of \$1,530,000 to appropriate fund balance reserves from the 1/4-cent Capital Improvement Sales Tax and the 1/8-cent Transportation Sales Tax to fund the design and right-of-way acquisition for six projects that have been awarded American Rescue Plan Act funds to be used for construction.

Council Bill 2023-064 (Ollis) was approved by the following vote: Ayes: Horton, McGull, Schilling, Simpson, Hosmer, Ollis, Lear, Hardinger, and McClure. Nays: None. Absent: None. Abstain: None.

6.2. Council Bill 2023-065 (Horton) ORDINANCE 27818

A special ordinance amending the budget of the City of Springfield for Fiscal Year 2022-2023 in the amount of \$380,000 for the purpose of approving expenditures from the Commercial Street Tax Increment Financing Special Allocation Fund for certain public improvement projects within the Commercial Street Tax Increment Financing District; and amending the Capital Improvements Program to add the funded projects.

Councilman Hosmer recused himself from the vote on Council Bill 2023-065 and left the dais.

Council Bill 2023-065 (Horton) was approved by the following vote: Ayes: Horton, McGull,

Schilling, Simpson, Ollis, Lear, Hardinger, and McClure. Nays: None. Absent: Hosmer. Abstain: None.

Councilman Hosmer returned to the dais.

6.3. Council Bill 2023-066 (Hardinger) **ORDINANCE 27819**

A special ordinance authorizing the City Manager, or his designee, to execute Settlement Participation Forms from the National Opioids Settlement Administrator for the purpose of enlisting the City as a Participating Subdivision in additional settlements that are part of the national opioids litigation; and declaring an emergency pursuant to City Charter Section 2.12.

Councilman Schilling asked what amount of money would be gained from the settlement.

Jan Millington, Deputy City Attorney, responded that the exact amount is not known. She noted the item would be researched.

Council Bill 2023-066 (Hardinger) was approved by the following vote: Ayes: Horton, McGull, Schilling, Simpson, Hosmer, Ollis, Lear, Hardinger, and McClure. Nays: None. Absent: None. Abstain: None.

7. RESOLUTIONS. Citizens May Speak. May Be Voted On.

7.1. Council Bill 2023-070 (Ollis, McGull, McClure) **RESOLUTION 10697**

A resolution affirming City Council's support for the plan of the Missouri Department of Transportation ("MoDOT") to improve sidewalks, crosswalks, and intersections, repave the corridor and complete sidewalk segments, and work with area businesses regarding the closure of extra access points in the East Sunshine Street corridor; requesting MoDOT to suspend the portion of the project that would add medians at various locations along the corridor and to monitor safety data related to the East Sunshine Street corridor for the next three years after making improvements the City supports; and thanking MoDOT for its investment in this community and in East Sunshine Street, one of Springfield's significant commercial corridors.

Jason Gage, City Manager, introduced Mr. Patrick McKenna, Director of the Missouri Department of Transportation (MoDOT). Mr. McKenna thanked City Council for the opportunity to speak and expressed appreciation for the feedback received thus far. He further noted the proposed median access is not intended to interfere with business, but is intended to promote safety in the corridor. Mr. McKenna added his intention to propose that MoDOT gather more community input to determine the best approach. Mr. McKenna noted crash data has also been reviewed.

Councilman Ollis asked what suspension of the process looks like in terms of gathering input. Mr. McKenna responded that waiting until next year's construction cycle would provide enough time to gather feedback from the community. He added the proposed resolution will also provide guidance for the project.

Mayor Pro Tem Simpson thanked Mr. McKenna for coming. He asked if suspension would result in the loss of the project. Mr. McKenna responded the safety components must be resolved first through a state-wide pool of funds.

Councilwoman Horton asked if there is a documented economic impact regarding crashes. Mr. McKenna responded MoDOT utilizes national statistics for the data regarding the economic impact of traffic crashes. Mr. McKenna noted for economic impact only, business data is relied upon. He expressed his belief that, in his experience, safety improvements create a positive economic impact.

Councilman Lear expressed his thanks to Mr. McKenna for their work on all the projects in Southwest Missouri.

Councilman Ollis noted he is a business owner on Sunshine Street. He further noted he received the safety and operational report and asked if any economic impact study was commissioned. Mr. McKenna responded a separate economic impact study was not commissioned as it is not standard practice. Mr. McKenna noted much of their process is set by Federal regulations and addresses safety concerns.

Mayor McClure asked how the signals, intersections, and sidewalk safety fit in with median adjustments. Mr. McKenna responded they are interconnected in that signals and sidewalks account for approximately 65-70% of the safety benefit, while medians account for approximately 30-35% of the safety benefit. He added there may be other options that will be beneficial to businesses. Mayor McClure thanked Mr. McKenna for the continued partnership.

An opportunity was given for citizens to express their views.

Tiffanie Nichols, a representative of State Bank, expressed her belief traffic flow on Sunshine Street is problematic. She read a statement from Tom Fowler, State Bank president. The letter expressed the feeling the median would have a negative impact on businesses on the street and will have a negative impact on feeder streets that traffic will be diverted to. He added the number of businesses and officials that feel the median will have a negative impact.

Ryan Murray expressed his belief the medians will have a negative economic impact for retailers and developers, adding that once the medians are installed, they cannot be undone. He noted the value of properties will be reduced due to limited access.

Councilman Ollis asked Mr. Murray if he has any examples. Mr. Murray responded there are properties that have not sold due to access concerns.

Kandace Prewitt noted that Starbucks on East Sunshine is her tenant. She expressed her belief the median is an issue as it causes access concerns, and traffic will be diverted to side streets and be problematic for residents. Ms. Pruiett noted provisions in the Starbucks lease which address access and states access cannot be changed. She expressed her belief there are other businesses that have leases addressing access.

Charles Ocarz, a representative for Hamra Enterprises, expressed his belief the median will have a negative impact on businesses and will cause business to decrease. Mr. Ocarz noted a decrease in sales would also decrease sales tax. He further expressed his belief the median will divert traffic to backroads which cannot handle the traffic.

Josh Todd, a resident of the area, expressed his primary concern was the reduction of access points to his neighborhood, and noted the median would create additional problems by diverting traffic through neighborhoods. He expressed his belief a high median will cause access problems for emergency vehicles. His other concern was where turn around access would be allowed in the median.

Neil Stenger, a representative of Murney and Associates, expressed his belief the road system should promote safety, enhance the economy, and allow transport of goods and services. Mr. Stenger noted the median creates a problem. He added there is no study of business failure due to the road system. Mr. Stenger noted the number of crashes in regards to traffic volume is minimal. He expressed his opinion the number of accidents does not justify the addition of the median. Mr. Stenger asked City Council to approve the resolution and to take business concerns as fact.

With no further appearances, the public hearing was declared closed.

Councilman Schilling asked about the use of frontage roads in the future. Dan Smith, Director of Public Works, responded the use of side roads and cross access easements are used as a strategy to reduce left turns and enhance safety.

Councilman Hosmer expressed his belief neighbors should be heard just as business owners are.

Councilwoman Horton noted a presentation she heard regarding access management which noted a reduction of left-hand turns can enhance safety and reduce crashes by 39%. She expressed her belief the safety impact is significant and should be considered.

Councilman Ollis expressed his belief there could be benefits to both businesses and safety. Councilman Ollis expressed his belief access and safety are both important and perhaps a compromise can be reached with MoDOT.

Council Bill 2023-070 (Ollis, McGull, McClure) was approved by the following vote: Ayes: McGull, Schilling, Simpson, Hosmer, Ollis, Hardinger, and McClure. Nays: Horton. Absent: None . Abstain: Lear.

8. EMERGENCY BILLS.

9. PUBLIC IMPROVEMENTS.

10. GRANTS.

Citizens May Speak. May Be Voted On.

10.1. Council Bill 2023-071 (Schilling) **ORDINANCE 27820**

A special ordinance authorizing the City Manager, or his designee, to enter into an Off-System Bridge Program Agreement with the Missouri Highways and Transportation Commission for the purpose of funding construction for the replacement of the Walnut Street Bridge over Jordan Creek; amending the budget of the Department of Public Works for Fiscal Year 2022-2023, in the amount of \$1,920,270 to appropriate federal Off-System Bridge Program grant funds; and declaring that this bill qualifies for approval in one reading.

Dan Smith, Director of Public Works, provided a brief overview of the proposed. Mr. Smith noted the proposed would allow the City to enter into an Off-System Bridge Program Agreement with the Missouri Highways and Transportation Commission to construct the replacement of the Walnut Street Bridge over Jordan Creek. He further noted the budget would be amended in the amount of \$1,920,270 to appropriate the grant funds. He added the addition will accommodate pedestrians on both sides of the bridge and will accommodate an

opening for a future trail under the bridge on Walnut Street. The grant will cover up to 80% of the construction cost of the project, with the additional funding coming from a 1/4-cent Capital Improvement Sales Tax Funds that have already been budgeted.

Mayor Pro Tem Simpson thanked Mr. Smith and his team for their work on the grant. He acknowledged the benefits of the trail and pedestrian access and noted the importance of building in the capacity for these features at the beginning of a project.

Councilman Schilling asked if the total cost would be approximately \$2.4 million. Mr. Smith responded affirmatively.

An opportunity was given for citizens to express their views. With no appearances, the public hearing was declared closed.

Council Bill 2023-071 (Schilling) was approved by the following vote: Ayes: Horton, McGull, Schilling, Simpson, Hosmer, Ollis, Lear, Hardinger, and McClure. Nays: None. Absent: None . Abstain: None.

11. AMENDED BILLS.

12. COUNCIL BILLS FOR PUBLIC HEARING.

Citizens May Speak. Not Anticipated To Be Voted On.

12.1. Council Bill 2023-073 (Simpson) It is anticipated that City Council will vote on this bill at the April 17, 2023, City Council Meeting.

A general ordinance amending the Springfield Land Development Code Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 2.4 acres of property generally located at 1760 East Bradford Parkway from Planned Development No. 117 Amendment 5 to Planned Development No. 385; and adopting and Official Zoning Map. (Planning and Zoning Commission and Staff recommend approval.) (By: Bibi Bradford, LLC; 1760 East Bradford Parkway; Planned Development No. 385.)

Susan Istenes, Director of Planning and Development, provided a brief overview of the proposed. Ms. Istenes noted the purpose of the amendment is to add a self-storage facility use to the development. The request is consistent with the Comprehensive Plan.

An opportunity was given for citizens to express their views. With no appearances, the public hearing was declared closed.

12.2. Council Bill 2023-074 (Horton) AMENDED.

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 1.5 acres of property generally located at 1409 to 1429 North Washington Avenue from R- SF, Single-family residential district, to Planned Development No. 384; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.) (By: Boyd School Redevelopment Corp; 1409-1429 N. Washington Avenue; Planned Development No. 384.)

Susan Istenes, Director of Planning and Development, provided a brief overview of the proposed. Ms. Istenes noted the proposed is to rezone the property to allow multi-family and

small-scale non-residential uses where applicable. The proposed would allow for up to 24 units for residential use. She added rezoning is necessary to add non-residential uses. The intent is to preserve the structure of the building. Ms. Istenes further noted traffic is anticipated to be reduced.

Councilwoman Horton noted the planned development does not prohibit acquisition of a liquor license and asked what would happen if a tenant wished to obtain a liquor license. Jan Millington, Deputy City Attorney, responded the application for a liquor license is a separate issue from the proposal, and there is a separate process to obtain the license. She noted there is ample opportunity in the liquor license process for neighbors to weigh in.

Councilwoman Horton moved to amend Council Bill 2023-073 to cap the maximum number of multi-family dwelling units to not exceed twenty units. Councilwoman Horton explained her motion was based upon discussion that occurred during the Planning and Zoning Commission. Councilwoman Horton noted the developer mentioned no more than twenty units should the commercial portion of the proposed not be developed. Ms. Horton expressed her belief the vote occurred prior to the language being changed to cap the units at twenty.

Councilman Ollis asked the developer to confirm. Matt Blevins, the developer for the project, responded affirmatively.

Councilman McGull asked how the motion would affect the proposed bill going forward. Mayor McClure responded that if the motion were adopted, the public hearing would go forward this evening, with the public hearing being extended on the amendment only. Jan Millington, Deputy City Attorney, noted if the motion were adopted, the public hearing would occur and would not be extended to the April 17, 2023, City Council Meeting.

Councilman Lear seconded the motion and it was approved by the following vote: Ayes: Horton, McGull, Schilling, Simpson, Hosmer, Ollis, Lear, Hardinger, and McClure.

An opportunity was given for citizens to express their views.

Anita Cotter, City Clerk, noted there were ten speakers, and each speaker would be allowed three minutes to speak per City Code.

Matt Blevins, President of Boyd School Redevelopment, spoke in support of the proposed. Mr. Blevins noted they met with the neighborhood four times in the last six months to inform them of the plans and gather feedback. He explained the goal is to be a good steward of the historic building.

Councilman Ollis noted he and Councilwoman Hardinger are members of Restore SGF, which is attempting to secure a lease in the building.

Councilman McGull expressed his appreciation to the developer for working with the neighborhood so closely and for the work being done to restore the historic building.

Dee Ogilvy spoke in support of the proposed. Ms. Ogilvy expressed her belief that if the historic Boyd school is not redeveloped, it will become demolition by neglect. Ms. Ogilvy expressed her belief that Mr. Blevins would be a good neighbor.

Nathan Davis spoke in opposition to the proposed. Mr. Davis expressed he is in opposition to alcohol being served in the location. He noted that 50% of those within 185 feet of the

proposed have already expressed their opposition to alcohol being served in that location. He expressed that he was otherwise in support of the proposed.

Joseph Harpine spoke in support of the proposed. Mr. Harpine thanked City Council for their attention at each meeting. He expressed his appreciation for the new development of Boyd school but expressed opposition to commercial development in the area.

Daniel Crisp noted he shares the longest property line with the proposed development. He expressed his support and acknowledged the proposed would foster community growth.

Ryan Stalzer, a representative of Lee Engineering, expressed his support for the proposed. He noted the neighborhood meeting had a robust turnout, and comments were taken seriously. The project is unique, as they are trying to redevelop a historic school building. Mr. Stalzer further noted traffic was a concern, and a traffic study showed an overall decrease in the a.m. peak hours and remained close to the same during other hours.

Ran Cummings, president of the Midtown Neighborhood Association, expressed the support of the association for the proposed. Mr. Cummings noted the goal of Midtown is to preserve the historic buildings and feels the development will be positive overall.

Ralph Plank expressed his opposition to the proposed. He noted his support for Boyd school being used for market rate apartments while maintaining the historic exterior. Mr. Plank expressed concern about the commercial use of the building, and feels that this use would be detrimental to the single-family feel of the neighborhood.

Chandler Cooper, a member of the neighborhood association, expressed his support for the proposed. Mr. Cooper noted the developer has met with neighbors. He expressed his support for uses such as restaurants in the development and feels this would make the neighborhood a more desirable place to live.

Todd Thomas expressed his support for the proposed. He expressed his belief a restaurant that serves alcohol would not be a detriment to the neighborhood. He expressed his belief the number of units would be a good use for the building and the proposed would be a benefit to the neighborhood.

With no further appearances, the public hearing was declared closed.

12.3. Council Bill 2023-075 (McGull) This bill was remanded to the Planning and Zoning Commission.

A general ordinance amending the Springfield Land Development Code, Section 36- 306, 'Official zoning map and rules for interpretation,' by rezoning approximately 9.45 acres of property generally located within the 2200 block of North Belcrest Avenue from HM, Heavy manufacturing district, with Conditional Overlay District No. 163 to HC, Highway commercial district, with Conditional Overlay District No. 226; establishing Conditional Overlay District No. 226; and adopting an updated Official Zoning Map. (Staff is requesting that this item be referred back to the Planning and Zoning Commission.) (By: SFC Real Estate LLC; 2202 N. Belcrest; Z-5-2023 w/COD #226.)

Council Bill 2023-075 was read and discussed with Council Bill 2023-076.

12.4. Council Bill 2023-076 (Schilling) **This bill was remanded to the Planning and Zoning Commission.**

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 22.4 acres of property generally located at 3444 West Sunshine Street, 1819 South Moore Road, 1903 South Farm Road 133, and 3503 West Washita Street from Greene County C-2, General commercial district, Greene County R-1, Suburban residence district, Greene County Plot Assignment District No. 1901, and City of Springfield GR, General retail district, to HC, Highway commercial district, with Conditional Overlay District No. 225; establishing Conditional Overlay District No. 225; and adopting an updated Official Zoning Map. (Staff is requesting that this item be referred back to the Planning and Zoning Commission.) (By: Donald L. & Patricia L McCurry Trust; 3444 W. Sunshine Street, 1819 S. Moore Road, 1903 S. Farm Road 133, and 3503 W. Washita Street; Z-4-2023 w/COD #225.)

Susan Istenes, Director of Planning and Development, provided a brief overview of the proposed. Ms. Istenes noted that staff asked that both Council Bills 2023-075 and 2023-076 be remanded to the Planning and Zoning Commission to allow the removal of certain language regarding the conditional overlay.

Councilman Schilling moved to remand Council Bills 2023-075 and 2023-076 to the Planning and Zoning Commission.

Mayor Pro Tem Simpson asked if there is a plan in place to ensure these issues do not continue to occur. Ms. Istenes responded the department has been implementing cross-training of staff and reformatting of reports to make the department run more smoothly.

Councilman Ollis asked what type of delay this will create for the developers. Ms. Istenes responded in one case, it would be three to four weeks, and six to seven weeks for the other.

Mayor Pro Tem Simpson seconded the motion, and it was approved by the following vote. Ayes: Horton, McGull, Schilling, Simpson, Hosmer, Ollis, Lear, Hardinger, and McClure. Nays: None. Absent: None. Abstain: None.

12.5. Council Bill 2023-077 (Schilling) **This bill was postponed until the June 5, 2023, City Council Meeting.**

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 0.21 acre of property generally located at 3503 West Washita Street from Greene County Plot Assignment District No. 1901 to R-SF, Single-family residential district; and adopting an updated Official Zoning Map. (Staff is requesting that this item be postponed.) (By: South Creek Development Corp; 3503 W. Washita Street; Z-6-2023.)

Susan Istenes, Director of Planning and Development, provided a brief update for the proposal. Ms. Istenes noted staff asked the proposed be postponed to the June 5, 2023, City Council Meeting.

Mayor Pro Tem Simpson moved to postpone Council Bill 2023-077 until the June 5, 2023, City Council meeting. Councilwoman Horton seconded the motion, and it was approved by the following vote: Ayes: Horton, McGull, Schilling, Simpson, Hosmer, Ollis, Lear, Hardinger, and McClure. Nays: None. Absent: None. Abstain: None.

12.6. Council Bill 2023-078 (McGull) **This bill was postponed until the May 8, 2023, City Council Meeting.**

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 1.37 acres of property generally located at 3710 and 3742 East Cherry Street from Greene County R-3, Multi-family residence district, and City of Springfield R-SF, Single-family residential district, to R-LD, Low-density multifamily residential district; and adopting an updated Official Zoning Map. (Staff is requesting that this item be referred back to the Planning and Zoning Commission.) (By: Hickory Village 55 Plus, LLC; 3710 & 3742 E. Cherry Street; Z-7-2023.)

Susan Istenes, Director of Planning and Development, provided a brief update on the proposal. Ms. Istenes noted staff asked the proposed be postponed to the May 8, 2023, City Council Meeting. She further noted there is a corresponding annexation that will come forth with the proposed.

Mayor Pro Tem Simpson moved to postpone Council Bill 2023-077 until the June 5, 2023, City Council meeting. Councilman Schilling seconded the motion, and it was approved by the following vote: Ayes: Horton, McGull, Schilling, Simpson, Hosmer, Ollis, Lear, Hardinger, and McClure. Nays: None. Absent: None. Abstain: None.

13. **FIRST READING BILLS. It is anticipated that City Council will vote on these bills at the April 17, 2023, City Council Meeting.**

Citizens May Speak. Not Anticipated To Be Voted On.

13.1. Council Bill 2023-072 (Hosmer)

A special ordinance authorizing the City Manager, or his designee, to apply to the United States Department of Housing and Urban Development for Federal Fiscal Year 2023 Community Development Block Grant and HOME Investment Partnership Program funds under the Consolidated Plan, to accept Community Development Block Grant and HOME Investment Partnership Program funds, to enter into any necessary agreements to carry out the grants, and to exercise any and all powers necessary to implement selected projects; selecting projects for funding for the City of Springfield Fiscal Year 2023-2024; and reaffirming the City Council Objectives and Community Development Priorities.

Bob Jones, Grants Administrator, provided a brief overview of the proposed. Mr. Jones noted the proposed would allow the City to apply for Fiscal Year 2023-2024 Block Grant and HOME Investment Partnership funds. Mr. Jones further noted both grant funds come from the United States Department of Housing and Urban Development (HUD) and the process will address year four of the five-year plan. He noted proposals will be received from non-profit organizations for public service grants, and final allocations will be reviewed. The planned use of Community Development Block Grant (CDBG) funds for City Council priorities will provide for grant administration, planning for neighborhoods, the One-Door homeless intake office, and funds for the homeowner emergency loan program. The Drew Lewis foundation will be added as a partner for the homeowner emergency loan program this year.

Councilwoman Horton asked if Restore SGF would be eligible to apply for either of the funding services. Mr. Jones responded it is a possibility depending on what the need is.

An opportunity was given for citizens to express their views. With no appearances, the public hearing was declared closed.

13.2. Council Bill 2023-079 (Horton)

A special ordinance approving the plans and specifications for the Pea Ridge Creek Sanitary Sewer Improvements – Doling Park Branch Project, generally located from Talmage Street to Bethany Drive east of Grant Avenue, and generally referred to as Plan No. 2020PW0044; accepting the bid of Rosetta Construction, LLC, in the amount of \$5,626,850 for said project; authorizing the City Manager, or his designee, to enter into a contract for said project; and approving a budget adjustment in the amount of the bid, plus a contingency, to amend the Fiscal Year 2022-2023 budget of the Department of Environmental Services Clean Water Enterprise Fund by appropriating reserves of said fund in the amount of \$6,752,220.

Errin Kemper, Director of Environmental Services, provided a brief overview of the proposed. Mr. Kemper noted the proposed would allow approval for the Doling Park Branch Pea Ridge Creek Sanitary Sewer Improvements Project. The project will eliminate several sewer system overflows and improve water quality. The bid would be awarded to Rosetta Construction, LLC, in the amount of \$5,626,850, and a budget adjustment plus a 25% contingency would be approved. He added funds for the project will come from the Clean Water Enterprise Services Funds.

An opportunity was given for citizens to express their views. With no appearances, the public hearing was declared closed.

Councilman Hosmer asked if the project would replace any septic systems. Mr. Kemper responded he did not believe so. There are approximately 400-500 septic systems remaining in the City, and there is a program available to eliminate septic systems.

13.3. Council Bill 2023-080 (Hardinger)

A special ordinance approving the Letter of Understanding regarding the July 1, 2021, Collective Bargaining Agreement between the City and the International Association of Fire Fighters, Southern Missouri Professional Fire Fighters Local 152, the Exclusive Representative of a certain Bargaining Unit within the Springfield Fire Department, and authorizing the City Manager to execute and deliver the Letter of Understanding to the Collective Bargaining Agreement to the Exclusive Representative.

David Pennington, Fire Chief, provided a brief overview of the proposed. Chief Pennington noted the proposed would allow for approval of the Letter of Understanding which would address the Collective Bargaining Agreement between the City and the International Association of Fire Fighters, Southern Missouri Professional Fire Fighters Local 152.

An opportunity was given for citizens to express their views. With no appearances, the public hearing was declared closed.

13.4. Council Bill 2023-081 (Lear)

A general ordinance amending the Springfield City Code, Chapter 78, 'Offenses and Miscellaneous Provisions,' Article VI, 'Offenses Against Public Health and Safety,' by amending Section 78-260, 'Possession of narcotics paraphernalia;' amending Section 78-261, "Possession of thirty-five grams or less of marijuana;" enacting Section 78-262, 'Public consumption of marijuana;' enacting Section 78-263, 'Consumption of marijuana in a motor vehicle;' and enacting Section 78-268, 'Marijuana accessories,' to regulate the possession and consumption of marijuana following recent amendments to the Missouri Constitution.

Chris Hoeman, Chief Litigator, provided a brief overview of the proposed. He noted the ordinance would amend the Springfield City Code to address regulation of possession and consumption of marijuana. Mr. Hoeman further noted the change or addition of provisions to address odors being prohibited into a public location, definition of public consumption, motor vehicles provisions which prohibit consumption while a vehicle is in operation, prohibition of use while in a parked vehicle, and removal of certain language regarding paraphernalia,

Councilman Hosmer asked about line 70 in the proposed regarding the amount of 3 ounces being kept at home. Mr. Hoeman noted if you are cultivating at your residence, 3 ounces can be kept at one private residence, while amounts over 3 ounces must be locked up.

Councilman Hosmer asked for clarification of marijuana use in educational and correctional facilities. Mr. Hoeman responded medical marijuana is not completely prohibited in these circumstances, allowing some flexibility for the facility to make this decision. Councilman Hosmer asked if the smell of marijuana during a traffic stop would warrant action.

Councilman Hosmer expressed his belief marijuana should not be allowed in correctional or educational facilities.

Councilman McGull noted the use of marijuana for medical uses has been studied and has been shown to be helpful for certain medical uses. Councilman McGull noted probable cause must be present for a traffic stop. He expressed his belief the proposed is a good first step as it mirrors the language of the State Legislature.

Councilman Lear expressed his belief medical uses should be up to the institution involved and not be limited by the City.

Mayor Pro Tem Simpson noted there are four educational institutions in Springfield and expressed his belief the City should not issue a blanket policy regarding medical use of marijuana.

An opportunity was given for citizens to express their views.

Cindy Northcutt addressed City Council in support of the proposed. Ms. Northcutt expressed her belief there are over 200,000 people using medical marijuana in the state. She expressed her belief medical marijuana should be allowed in correctional and educational facilities. Ms. Northcutt noted there are patients that are under 21 years old that have been prescribed marijuana and need to use paraphernalia.

With no further appearances, the public hearing was declared closed.

14. PETITIONS, REMONSTRANCES AND COMMUNICATIONS.

14.1. Steven Bishop wishes to address City Council. **DID NOT APPEAR.**

14.2. Stephanie Stenger wishes to address City Council. **APPEARED.**

Stephanie Stenger thanked City Council for their service. She also thanked City Council on behalf of the business community.

15. NEW BUSINESS.

15.1. Certification of referendum petition. **CERTIFIED.**

Anita Cotter, City Clerk, noted March 23, 2023, she received a referendum petition to repeal Special Ordinance 27804 pertaining to Condemnation of Hotel of Terror – 334 N. Main Avenue. Based on requirements of section 14.2 of the City Charter the number of signatures required for the petition to be sufficient was 1,568. The petition contained 1,167 signatures. Based on this, she certified this petition as insufficient. A copy of my certification was at City Council's places for your review.

15.2. The Finance and Administration Committee recommends referring the draft City Charter Section 19.16 amendment, presented at the March 29, 2023, Finance and Administration Committee, as revised per the Committee's instructions to the City Council Committee of the whole. **REFERRED.**

There was no objection to the referral.

15.3. The Public Involvement Committee recommends the following removal from the Citizens' Advisory Committee for Community Development: Shawna Batty based on a failure to take the oath of office as recommended by the Public Involvement Committee. **RECOMMENDED.**

15.4. The Public Involvement Committee recommends the following reappointment to the Citizens' Advisory Committee for Community Development: Dr. Earle Doman with term to expire May 1, 2026. **RECOMMENDED.**

15.5. The Public Involvement Committee recommends the following appointments to the Citizens' Advisory Committee for Community Development: Matthew Whitehead with term to expire May 1, 2025; Larry Flenoid II with term to expire May 1, 2026. **RECOMMENDED.**

15.6. The Public Involvement Committee recommends the following reappointment to the Police Officers' and Fire Fighters' Retirement System Board of Trustees: Andy Stewart, Financial Representative, with term to expire April 30, 2026. **RECOMMENDED.**

15.7. The Public Involvement Committee recommends the following appointments to the Police Officers' and Fire Fighters' Retirement System Board of Trustees: Laura Robinson, Attorney Representative, with term to expire April 30, 2026; Ann Young, Medical Representative, with term to expire April 30, 2025. **RECOMMENDED.**

15.8. The Public Involvement Committee recommends the following appointment to the Public Building Corporation: Zack Speague with term to expire September 1, 2024. **RECOMMENDED.**

15.9. The Public Involvement Committee recommends the following appointments to the Greene County Environmental Advisory Board: Alyssa Lindsay with term to expire October 1, 2025; Kathleen Murnan with term to expire October 1, 2024. **RECOMMENDED.**

16. UNFINISHED BUSINESS.

17. MISCELLANEOUS.

18. CONSENT AGENDA – FIRST READING BILLS. See Item #3. It is anticipated that City Council will vote on this bill at the April 17, 2023, City Council Meeting.

18.1 Council Bill 2023-082 (McGull)

A special ordinance authorizing the City Manager, or his designee, to enter into an Intergovernmental Agreement with the Board of Governors of Missouri State University for the purpose of continuing to provide enhanced law enforcement services within and around the Missouri State University campus.

19. CONSENT AGENDA – ONE READING BILLS. See Item #3.

19.1. Council Bill 2023-083 (Hosmer) ORDINANCE 27821

A special ordinance authorizing the City Manager, or his designee, to accept a grant in the amount of \$8,100 from the State of Missouri, Department of Public Safety, for replacement of a Springfield Police Department canine; amending the budget for the Police Department for Fiscal Year 2022-2023 in the amount of \$8,100; and declaring this bill qualifies as a one-reading bill pursuant to Charter Section 2.16(25).

Council Bill 2023-083 (Hosmer) **ORDINANCE 27821** was approved by the following vote:
Ayes: Horton, McGull, Schilling, Simpson, Hosmer, Ollis, Lear, Hardinger, and McClure.
Nays: None. Absent: None. Abstain: None.

20. CONSENT AGENDA – SECOND READING BILLS. See Item #3.

20.1. Council Bill 2023-067 (Lear) ORDINANCE 27822

A special ordinance authorizing the City Manager, or his designee, to accept pass-through federal grant funds from the Watershed Committee of the Ozarks, which received a Section 319 Nonpoint Source Grant from the Missouri Department of Natural Resources for the purpose of constructing stormwater green infrastructure projects; entering into an agreement with the Watershed Committee of the Ozarks; and amending the budget of the Department of Environmental Services for Fiscal Year 2022-2023 in the amount of \$40,000.

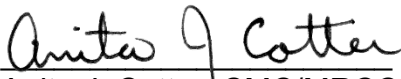
Council Bill 2023-067 (Lear) **ORDINANCE 27822** was approved by the following vote: Ayes: Horton, McGull, Schilling, Simpson, Hosmer, Ollis, Lear, Hardinger, and McClure. Nays: None. Absent: None. Abstain: None.

21. END OF CONSENT AGENDA.

22. ADJOURN.

Mayor Pro Tem Simpson moved to adjourn. Councilwoman Hardinger seconded the motion, and it was approved by the following vote: Ayes: Horton, McGull, Schilling, Simpson, Ollis, Lear, Hardinger, and McClure. Nays: Hosmer. Absent: None. Abstain: None.

Prepared by Michelle Brown


Anita J. Cotter, CMC/MRCC
City Clerk